

PROB 12C
(6/96)

United States District Court
for
WESTERN DISTRICT OF TEXAS

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Phillip C. Brown

Case Number: A-13-CR-285(01) LY

Name of Sentencing Judicial Officer: Honorable Sam Sparks, Senior U.S. District Judge

Date of Original Sentence: November 1, 2013

Original Offense: Ct. 3: Possession with Intent to Distribute Cocaine Base, in violation of 21 U.S.C. §§ 846 & 841(a)(1) & (b)(1)(C), and Ct. 4: Felon in Possession of a Firearm, in violation of 18 U.S.C. § 922(g)

Original Sentence: Ct. 3: 168 months imprisonment followed by three (3) years of supervised release, Ct. 4: 120 months imprisonment followed by four (4) years of supervised release, both counts to run concurrently; Special conditions: substance abuse and mental health counseling, abstain from the use of alcohol and all other intoxicants, workforce development, search and seizure, and \$200 special assessment fee (satisfied)

Type of Supervision: Supervised Release Date Supervision Commenced: November 20, 2020

Assistant U.S. Attorney: Mark H. Marshall

Defense Attorney: Amber Vasquez Bode

PREVIOUS COURT ACTION

On November 12, 2013, Brown's term of imprisonment on Ct. 3 was reduced to 120 months custody to run concurrently with Ct. 4.

On October 20, 2015, in Cts. 3&4 Brown's term of imprisonment was reduced to 96 months for each count; to be served concurrently.

On January 4, 2021, the defendant's case was re-assigned to the docket of the Honorable Judge Lee Yeakel.

On January 4, 2021, a Probation Form 12A was filed with the Court to advise of Brown testing positive for marijuana on December 15, 2020. It was recommended that no action be taken to allow Brown to commence substance abuse counseling. The Court concurred.

On June 3, 2021, a Probation Form 12A was filed with the Court to advise of Brown testing positive for marijuana on May 21, 2021. It was recommended that no action be taken to allow Brown to continue with intensive substance abuse counseling. The Court concurred.

Phillip C. Brown
Petition for Warrant or Summons for
Offender Under Supervision
Page 2

PETITIONING THE COURT

☒ To issue a warrant

☐ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation of Standard Condition No. 7: “The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician.”

Violation of Mandatory Condition # 2: “The defendant shall not unlawfully possess a controlled substance.”

Nature of Non-compliance: On September 1, 2021, Brown submitted to a random drug test and the results were returned on September 14, 2021, rendering positive results for marijuana, cocaine, and amphetamines. On September 21, 2021, the defendant reported to the office and voluntarily signed an admission form admitting to using marijuana, cocaine, and amphetamines. Additionally, the defendant requested his term of supervised release be revoked due to enjoying smoking marijuana and not wanting to stop.

U. S. Probation Officer Recommendation: The term of supervision should be revoked.

Approved by,



Craig A. Handy
Supervising U.S. Probation Officer

Respectfully submitted,



Lauro Garza
U.S. Probation Officer
Date: September 23, 2021

Phillip C. Brown
Petition for Warrant or Summons for
Offender Under Supervision
Page 3

Received by,

Mark H. Marshall
Mark H. Marshall
Assistant U.S. Attorney

☒ recommend ☐ does not recommend

Justification: _____

THE COURT ORDERS:

☐ No Action

☒ The Issuance of a Warrant

☐ The Issuance of a Summons

☐ Other

SH

Honorable Susan Hightower
U.S. Magistrate Judge

October 4, 2021

Date

